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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 22-00109 DKW
)	
Plaintiff,)	UNITED STATES' RESPONSE TO
)	DEFENDANT'S MOTION FOR
vs.)	LEAVE TO FILE MOTION TO
)	DISMISS UNDER THE SECOND
CHRISTOPHER CHAN,)	AMENDMENT OR THE
)	COMMERCE CLAUSE [ECF NO.
Defendant.)	142]; CERTIFICATE OF SERVICE
)	
)	

UNITED STATES' RESPONSE TO DEFENDANT'S MOTION
FOR LEAVE TO FILE MOTION TO DISMISS COUNT UNDER THE SECOND
AMENDMENT OR THE COMMERCE CLAUSE [ECF NO. 142]

The United States of America, by and through undersigned counsel, does not oppose the instant motion (ECF No. 142), which seeks leave to file a motion to dismiss Counts 1 and 2 of the second superseding indictment under the Second Amendment or the Commerce Clause. Under the specific circumstances of this particular motion, the government does not oppose Defendant's request for leave to file the motion to dismiss attached to the instant motion. The government strongly opposes Defendant's motion on the merits, as the government will set forth in an opposition should the Court grant Defendant's motion for leave.

In light of the September 23, 2024 trial date, the length of time this case has been pending, and the multiple opportunities for Defendant to file pretrial motions, the government anticipates that it would oppose any future untimely motions practice of this sort.

DATED: July 23, 2024, at Honolulu, Hawaii.

Respectfully Submitted,

CLARE E. CONNORS
United States Attorney
District of Hawaii

By /s/ Sara D. Ayabe
SARA D. AYABE
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CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below,
a true and correct copy of the foregoing was served on the following at their last
known addresses:

Served Electronically through CM/ECF

Craig Jerome
Assistant Federal Defender
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Attorney for Defendant
Christopher Chan

DATED: July 23, 2024, at Honolulu, Hawaii.

/s/ Rowena Kang
U.S. Attorney's Office
District of Hawaii